

ROBERT B. PINCUS in his capacity as
Special Master for the United States District Court for the District of Delaware
PO Box 4570
Wilmington, DE 19807

January 19, 2024

BY HAND DELIVERY & CM/ECF

The Honorable Leonard P. Stark
United States District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 North King Street
Wilmington, DE 19801-3570

Re: *Crystalex International Corp. v. Bolivarian Republic of Venezuela*,
D. Del. C.A. No. 1:17-mc-00151-LPS
Special Master's Steps Chart regarding Additional Judgment Creditors

Dear Judge Stark:

Pursuant to the *Memorandum Order* entered on October 11, 2023 [D.I. 738] (“**October 11 Order**”)¹:

[t]he Special Master **SHALL** maintain a chart (“Steps Chart”) tracking the progress of each party seeking to become an Additional Judgment Creditor and shall submit the Steps Chart to the Court by filing on the docket of the *Crystalex* case (Misc. No. 17-151-LPS) on no less than a monthly basis.

October 11 Order at 7 (emphasis in original).

Since the filing of the Steps Chart (as defined in the October 11 Order) on December 18, 2023 [D.I. 803] (the “**December Steps Chart**”), my Advisors and I have continued to monitor the docket and track the respective progress of the parties seeking to become an Additional Judgment Creditor and hereby report the following updates:

1. On December 19, 2023, ConocoPhillips, submitted a letter to the Court declaring its completion of Step 5 in Case No. 22-mc-00464-LPS [D.I. 806]; and

¹ All capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the *Sixth Revised Proposed Order (A) Establishing Sale and Bidding Procedures, (B) Approving Special Master's Report and Recommendation Regarding Proposed Sale Procedures Order, (C) Affirming Retention of Evercore as Investment Banker by Special Master and (D) Regarding Related Matters* [D.I. 481] (the “**Sale Procedures Order**”) or the *Memorandum Order* entered on July 27, 2023 [D.I. 646] (the “**July 27 Order**”), as applicable.

The Honorable Leonard P. Stark

January 19, 2024

Page 2

2. After conferring with judgment holder Contrarian Capital Management, L.L.C. (“**Contrarian**”), Contrarian and I agree the Step 4 completion date for each of Contrarian’s three judgments should be amended to July 21, 2023 from April 26, 2023.

Having reviewed the submissions made to date by each party seeking to become an Additional Judgment Creditor, and having made revisions as described above, I respectfully submit the updated Steps Chart attached hereto as Exhibit A. A redlined version against the December Steps Chart is attached hereto as Exhibit B.

Pursuant to the October 11 Order, the Step 5 (Writ) Deadline occurred on January 12, 2024. Therefore, the attached Steps Chart reflects the Special Master’s recommendation to the Court as to the priority of Attached Judgments to be reflected in the Court’s forthcoming Priority Order (as defined in priority arrangement procedures in the Joint Status Report dated August 24, 2023 [D.I. 693], which were adopted by the Court pursuant to the October 11 Order).² In anticipation of the Court’s entry of the Priority Order, I will file a notice on the *Crystalex* docket in the coming days laying out the implementation steps for subsequent priority arrangement procedures adopted by the Court pursuant to the October 11 Order.

Notwithstanding my recommendation included in this letter, I note the Steps Chart continues to be an organization of each party’s asserted claim amount and the date(s) on which such party claims to have completed the applicable step(s) prescribed by the Court in the July 27 Order. Until the entry by the Court of the Priority Order and the subsequent orders contemplated by the priority arrangement procedures, the relative priority of Attached Judgments is not final.

To the extent any party disputes the information displayed on the Steps Chart, such party should contact my Advisors.

Sincerely,

/s/ Robert B. Pincus

Robert B. Pincus, in my capacity as
Special Master for the United States District Court
for the District of Delaware

Enclosures

cc: Counsel of Record (via CM/ECF and E-Mail)

² The Special Master notes a number of judgment holders have filed requests to extend the Step 5 (Writ) Deadline and other deadlines applicable to the Attached Judgment process. See D.I. 812, 813, 814, 819, 826, 828, 849, 850, 857, 859, 860, 861, 862, 863. In the event the Court grants an extension of deadlines which results in additional judgment holders becoming eligible to qualify as Additional Judgment Creditors, the Special Master will amend the Steps Chart accordingly.